



## Ohio Private Investigation & Security Services Commission (OPISSC) October 19, 2022 Minutes

**Commission Meeting Date and Location:** October 19, 2022, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

**Commission Members Present:** Mr. Jay Beighley, Mr. Bill Caskey, Mr. Carlisle Coleman, Mr. Huggins for Mr. Jones, Mr. Randy McPeek, Mr. Terry Myer, Mr. Mark Proud, Mr. Mike Staley, Ms. Stearmer for Mr. Stickrath, Mr. Mark Wasylyshyn

**Commission Members Absent:** Mr. Dean Boerger, Ms. Angela Snyder, Ms. Kimberly Trout

**Also Attending:** Christy Clark, Ashleigh Henry, Molly Seitz

**Public Attending:** Ted Owens

Vice-Chair Staley called the meeting to order at 1:02 P.M.

### **ROLL CALL:**

Mr. Beighley	Here	Ms. Snyder	
Mr. Boerger		Mr. Staley	Here
Mr. Caskey	Here	Ms. Trout	
Mr. Coleman	Here	Mr. Wasylyshyn	Here
Mr. McPeek	Here	Ms. Stearmer for Mr. Stickrath	Here
Mr. Myer	Here	Mr. Huggins for Mr. Jones	Here
Mr. Proud	Here		

A quorum was present to conduct business.

Vice-Chair Staley asked the Commission to review the last meeting's minutes.

**ACTION:** Motion to approve the Minutes from the September 21, 2022, meeting. McPeek first. Wasylyshyn second. None opposed. Motion passed.

### **Industry Updates**

Mr. Staley reported that the GPS vehicle tracking legislation bill is still being monitored. OASIS's attorney is looking at that information to ensure it protects security or investigators using GPS tracking in the course of business. This is still a hot topic for the industry.

### **PISGS Updates**

Ms. Seitz reported that there are currently 698 main and 129 branch company licenses for a total of 827 licensees. She stated that there are 23,992 approved registrants and 792 in applied status.

Ms. Clark reported the Enforcement Unit has conducted 1,156 guard checks at 403 locations so far this year. There are currently 27 cases (11 administrative and 16 criminal). Mr. Staley asked what kind of criminal cases are they and Ms. Clark said they are unlicensed activity. He asked if 27 cases is high and Ms. Clark said criminal cases are up.

Mr. Beighley arrived 1:08 P.M.

Mr. Myer commented that there is a company trying to obtain a license but wondered how long it can remain pending. They have no employees registered but are working all over town.

### **Training Committee**

Mr. Proud said the training committee met prior to the OPISSC meeting. They are trying to get some training available and know legislation takes a long time. Training could become mandatory somewhere down the road. Right now, the focus is to get modules ready so training is available. There are three training modules already available and are trying to determine the next modules to develop. DPS's estimate to create one module is approximately three months. The committee will work on reviewing the three modules in place to see if any updates need made.

The committee came up with an additional topic and voted to add de-escalation as one of the training modules. It is the next one the committee wants to work on. Mr. Staley asked how many people have utilized the modules out there. Ms. Clark said she provided that information to Mr. Boerger after the last meeting and did not have the number in front of her. Mr. Myer asked if they could view the three modules and Ms. Clark said they are on the PISGS website. Mr. Myer asked if any of them were the ones they wanted years ago and Ms. Clark said they are. Mr. Proud said the goal is to have a total of eight modules. Mr. Staley asked where the content would come from and Mr. Proud said a lot of the meeting was about that, but it has not been decided. Mr. Staley asked if OPOTA courses could be used and how that would work. Mr. Proud hoped that it could be used and Mr. Wasylyshyn said they have a plethora of training and why reinvent the wheel.

### **New Business**

Mr. Staley said at the last meeting, the new CCW law was discussed and asked Mr. Wasylyshyn if the issue is still a matter of interpretation. Mr. Wasylyshyn said there is no case law on any court ruling, but that is not to say that a local court could rule a certain way and then go through the appeal process. OPISSC could reach out to the Prosecutors Association to see if there is a consensus on interpretation. Some prosecutors are still charging improper handling of a firearm in a motor vehicle if they don't have a CCW license.

Mr. Owens stated after the last meeting, he sent members an email from him about how frustrated he is on how this topic was handled. It is causing headaches for business owners and this commission is supposed to be responsive to what business owners are dealing with. Since constitutional carry is now in Ohio, he is hearing from large companies with their own legal counsel is that there is no justification for this to remain in the rules. He requested members make a motion to discuss it and either stand with the business owners or not. Meeting procedure needs to be followed and that did not happen last month. As the Executive Director of OASIS, he requests that a motion be made and bring it to a vote to remove the CCW language in rule.

Mr. Staley said that rule review is only done at certain times. Mr. Owens said the DPS Rule Administrator would need to take it to the Joint Committee on Agency Rule Review (JCARR) to have it removed. You do not have to wait until 2025 when it is up for review to make a change. Ms. Henry said DPS is aware of the law and intend to remove it from the rule, but have to prioritize things. OPISSC can make the advisement to the Director to have it removed. She wanted to be very clear that PISGS is not enforcing it and understand that the CCW law was passed after our rules were in place. Mr. Owens looked it up and the five-year review date is June 1, 2025. Mr. Staley asked if everyone is in agreement it needs removed.

**ACTION: Motion to advise the Director to remove the CCW language in rule.** Wasylyshyn first. Proud second.

Mr. Myer asked Ms. Henry if they approve it to be removed, your intention is to not remove it until you are ready? Ms. Henry said from where it stands without a motion, the intent is to remove it. If you are going to approve a motion to advise the Director to remove it sooner, there might be more movement there, but she cannot say for certain. Mr. Wasylyshyn said it doesn't hurt to make the motion.

None opposed. Motion passed.

Mr. Wasylyshyn asked about Ms. Clark's report of increased cases and if there is a pattern that the Training Committee should be aware of to minimize or decrease those? Ms. Clark said not really; they are receiving more complaints and discovering unlicensed activity in bars, events or football games.

**Open OPISSC Seats**

Kimberly Trout from Ohio University was appointed to the general seat.

Mr. Staley asked if there had been any progress made on getting OPISSC listed on the Governor's Boards and Commission website. Mr. Owens said Deputy Director Huey was to research that, but OPISSC still isn't listed. Concern was expressed that with more appointees' terms expiring at the end of the year, how will OPISSC have a quorum to conduct business. Ms. Henry said those individuals expiring can attend meetings up to ninety days after their expiration date if no new appointment for their seat has been made.

**ACTION: Motion to adjourn.** Wasylyshyn first. McPeck second. None opposed. Motion passed. The meeting adjourned at 1:28 P.M.